

AMENDED IN ASSEMBLY APRIL 10, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 787**

**Introduced by Assembly Member Dutra**

February 20, 2003

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An act to amend Sections 17073.15, 17073.20, 17074.10, 17074.26, and 17077.40 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 787, as amended, Dutra. ~~Joint-use~~ *School facilities funding.*

(1) Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

Existing law authorizes funding for the modernization of permanent buildings that are at least 25 years old, or portable classrooms that are at least 20 years old, that have, prior to November 4, 1998, not been previously modernized with state funds.

Existing law requires the board to adopt regulations to adjust the per-pupil amount for modernization projects for buildings that are 50 years old or older based upon the higher costs of modernizing older buildings.

This bill would, instead, permit modernization funding of facilities that have not ~~been previously modernized~~ *received an apportionment* within the immediately preceding 25- or 20-year period.

This bill would permit *approval of funding for* modernization of permanent buildings ~~or portable classrooms~~ that are 50 years old or

older that have had previous state-funded modernizations, but would require the board to consider previous modernization funding granted within the immediately preceding ~~25- to 20-year~~ 25-year period in adjusting the per-pupil amount.

(2) Existing law authorizes the board to provide a grant to fund joint-use projects to construct facilities that meet prescribed criteria, including, but not limited to, multipurpose rooms, gymnasiums, childcare facilities, or libraries.

This bill would include athletic stadium facilities within the joint-use facilities authorized pursuant to these provisions and would make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 17073.15 of the Education Code is  
2 amended to read:

3 17073.15. A school district shall be eligible to receive an  
4 apportionment for modernization of permanent school buildings  
5 or portable classrooms that meet the criteria set forth in this article.

6 SEC. 2. Section 17073.20 of the Education Code is amended  
7 to read:

8 ~~17073.20. (a) Funding may be approved for the~~  
9 ~~modernization of any permanent school building that is more than~~  
10 ~~25 years old, or any portable classroom as described in Section~~  
11 ~~17071.30 that is more than 20 years old, if it has not been~~  
12 ~~previously modernized with state funding within the immediately~~  
13 ~~preceding 25- or 20-year period, as the case may be.~~

14 ~~(b)–~~

15 17073.20. (a) A school district is eligible to receive an  
16 apportionment for the modernization of a permanent school  
17 building that is at least 25 years old. A school district is eligible  
18 to receive an additional apportionment for the modernization of a  
19 permanent school building every 25 years after the date of the  
20 previous apportionment.

21 (b) A school district is eligible to receive an apportionment for  
22 the modernization of a portable classroom that is at least 20 years  
23 old. A school district is eligible to receive an additional

*apportionment for the modernization of a portable classroom every 20 years after the date of the previous apportionment.*

(c) Notwithstanding subdivision (a), funding may be approved for the modernization of a ~~school building or portable classroom~~ *permanent school building* that is 50 years old or older notwithstanding the fact that the building may have been previously modernized with state funding within the immediately preceding ~~25- or 20-year period, as the case may be~~ *25-year period*. However, in adjusting the per-pupil amount pursuant to Section 17074.26 for any building that is 50 years old or older and has been previously modernized within the immediately preceding ~~25- or 20-year period, as the case may be~~ *25-year period*, the board shall consider previous state-funded modernizations and the nature and extent of the work completed pursuant to those projects and shall determine the building's current deficiencies and the level of funding required to satisfactorily enhance the building's expected life or usefulness.

SEC. 3. Section 17074.10 of the Education Code is amended to read:

17074.10. (a) The board shall determine the total funding eligibility of a school district for modernization funding by multiplying the following amounts by each pupil of that grade level housed in permanent school buildings or portable classrooms that meet the criteria set forth in this article:

(1) Two thousand two hundred forty-six dollars (\$2,246) for each elementary pupil.

(2) Two thousand three hundred seventy-six dollars (\$2,376) for each middle school pupil.

(3) Three thousand one hundred ten dollars (\$3,110) for each high school pupil.

(b) The board shall annually adjust the factors set forth in subdivision (a) according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the board.

(c) The board may adopt regulations to be effective until July 1, 2000, that adjust the amounts identified in this section for qualifying individuals with exceptional needs, as defined in Section 56026. The regulations shall be amended after July 1, 2000, in consideration of the recommendations provided pursuant to Section 17072.15.

(d) It is the intent of the Legislature that the amounts provided pursuant to this article for school modernization do not include funding for administrative and overhead costs.

(e) For a school district having an enrollment of 2,500 or less for the prior fiscal year, the board may approve a supplemental apportionment of up to two thousand five hundred dollars (\$2,500) for any modernization project assistance. The amount of the supplemental apportionment shall be adjusted in 2001 and every year thereafter by an amount equal to the percentage adjustment for class B construction.

SEC. 4. Section 17074.26 of the Education Code is amended to read:

17074.26. The board shall adopt regulations to adjust the per-pupil amounts set forth in Section 17074.10 for modernization projects for school buildings that are 50 years old or older based upon the higher costs associated with modernizing older buildings.

SEC. 5. Section 17077.40 of the Education Code is amended to read:

17077.40. (a) With funds made available for the purposes of this article, the board may provide a grant to fund joint-use projects to construct facilities on kindergarten to grade 12, inclusive, schoolsites.

(b) A school district may apply to the board for funding under this article for a project that meets any of the following criteria:

(1) The joint-use project is a part of an application for new construction funding under this chapter, and is for the purpose of providing facilities to be used for a kindergarten to grade 12/higher education collaborative effort for any of the following purposes:

(A) To improve pupil academic achievement.

(B) To provide teacher education.

(C) To provide childcare facilities.

(D) To provide athletic stadium facilities.

(2) The joint-use project is part of an application for new construction funding under this chapter, and will increase the size or extra cost associated with the joint use of the proposed multipurpose room, gymnasium, childcare facility, athletic stadium, or library beyond that necessary for school use.

(3) The joint-use project is for a kindergarten to grade 12/higher education collaborative effort to improve academic achievement or provide teacher education, or a multipurpose

- 1 room, gymnasium, library, athletic stadium, or childcare facility,
- 2 and the project will be located at a school that does not have the
- 3 type of facility for which funds are requested or the existing
- 4 facility is inadequate.

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